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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Joseph Lincoln Komen et al.

Serial No. 09/875,177

Filed: June 6, 2001

For: Hypochlorite Free Method for Preparation of
Stable Carboxylated Carbohydrate Products

Examiner: Everett White

Group Art Unit: 1623

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AMENDMENT AND REQUEST FOR RECONSIDERATION

April 6, 2003
Federal Way, Washington 98063

The Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

This amendment is a timely response to a first Office Action mailed March 13, 2003. Applicants wish to express their thanks to Examiner White for the most cordial phone interview on April 8, 2003 during which time the Examiner felt that all claims would be allowable, but subject to additional search.

Claims 1-79 are presently in the application. The claims had been subject to an election of species requirement and a previous paper had elected the species to be considered. Two points were discussed during the interview. The first was the rejection of claims 1-79 under 35 U.S.C. 112, second paragraph. The term "latent sources of chlorine dioxide" in claims 1 and 64 was held to be indefinite. Applicants pointed out that the chemistry of chlorine dioxide was well known, certainly within the pulp industry where the present technology would be implemented. Alkali metal chlorates and particularly chlorites would be immediately recognized as latent sources of chlorine dioxide in the present invention. The Examiner during the interview agreed that this rejection should be withdrawn.

The other point of discussion was the rejection of claims 1-7, 30-42, 46-48, 50-54, and 57-63 under 35 U.S.C. 103 (a) as obvious under Besemer et al., WO 95/07303. Applicants respectfully traverse this rejection. It was explained during the interview that Applicants' process is particularly adapted to cellulose oxidation *without* the use of hypochlorite compounds. This is clearly stated in the title; the broad statement of the invention at page 1, lines 9-11; in the Summary at page 8, lines 6-7; and at other locations in the specification. Besemer et al. *require* hypochlorite compounds as secondary oxidants. Further, hypochlorites cannot be used to form chlorine dioxide as was implied in the Office Action. There is no practical way make chlorine dioxide from hypochlorites.

U.S. Patent 4,401,810 to Tang et al. was cited as a secondary reference to show the use of sodium borohydride as a reducing agent. Tang adds nothing to the shortcomings of Besemer.

Presuming that the independent claims are patentable, Applicants believe that all dependent claims in their application are also patentable. If any matters stand before an allowance, the Examiner is urged to call the undersigned to see if resolution can be reached.

Respectfully submitted,

Joseph Lincoln Komen, Ananda Weerawarna,
and Richard A. Jewell

By



Keith D. Gehr

Agent for Applicants

Registration No. 24,407

Telephone (253) 939-5997